



VOLCANO®

August 21, 2017

To: The Honorable Brandon J.C. Elefante, Chair
The Honorable Kymberly Marcos Pine, Vice Chair
Members, City Council Committee on Public Health, Safety & Welfare

From: Cory Smith, VOLCANO Fine Electronic Cigarettes®
CEO and Owner

RE: Bill 70 (2017) – oppose.

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CITY CLERK
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Thank you for the opportunity to submit testimony.

VOLCANO Fine Electronic Cigarettes® is the largest manufacturer and retailer of vapor products and vaping accessories in the State of Hawaii. We currently own and operate 12 locations statewide and employ over 80 full-time workers to support sales of our products not only here in Hawaii, but to all 50 states as well as over 30 International countries. We stand in opposition to Bill 70 (2017) for the following:

- Although electronic cigarettes emit NO smoke, the bill falsely defines vapor products as “electronic smoking devices” and deceptively redefines “smoking” to include the use of electronic cigarettes in an attempt to restrict their usage in a variety of places. **Vapor products, otherwise federally referred to as an “Electronic Nicotine Delivery System” (ENDS), contain no tobacco, produce no smoke, and have not been demonstrated to have the same detrimental effects of combustible tobacco products.**
- **In sharp contrast to indoor smoke free policies/laws (which are largely self enforced because of broad public support), please note that it is also virtually impossible to enforce an ENDS product usage ban since the products can be used discreetly without anyone else knowing.** By simply waiting a few seconds before exhaling, no visible vapor is exhaled ENDS product users, and as such, nobody will know that anyone is even using one. Despite widespread usage in cities and states that have banned ENDS products use where smoking is banned, there is no record of any fine or citation being given. Enacting unwarranted and unenforceable regulations carries the risk of unintended consequences like sending former smokers back to combustible tobacco products; harming their health and undermining the mandate of the state to promote viable alternatives to known killers.
- **Numerous studies conducted on ENDS products have found that e-cigarettes do not emit hazardous levels of any constituents, and that levels of nitrosamines in ENDS products are nearly identical (i.e. very little if any) to those in nicotine gums and**

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patches. Links to these studies are attached bellow:

- Burstyn, I. Peering through the mist: What does the chemistry of contaminants in electronic cigarettes tell us about health risks? B MC Public Health. January 2014. (Concluding that there is no risk to bystanders exposed to electronic cigarette vapor) <http://www.biomedcentral.com/14712458/14/18/abstract>
- Goniewicz ML, et al. Levels of selected carcinogens and toxicants in vapour from electronic cigarettes. Tobacco Control . March 2013. (Testing of the vapor from twelve different electronic cigarettes, cigarette smoke, and the aerosol of the FDA approved nicotine inhaler revealed that electronic cigarette vapor contains 9450x less toxicants and chemicals when compared to secondhand smoke, with the authors noting that the trace levels present were comparable to what is released from the nicotine inhaler) <http://tobaccocontrol.bmj.com/content/early/2013/03/05/tobaccocontrol2012050859.abstract>
- Siegel, M, et. al. Electronic cigarettes as a harm reduction strategy for tobacco control: A step forward or a repeat of past mistakes. Journal of Public Health Policy. December 2010. (Reviewing the evidence and concluding that there is no evidence electronic cigarettes pose risks to users and bystanders that is in any way comparable to cigarettes) <http://www.palgravejournals.com/jphp/journal/v32/n1/full/jphp201041a.htm>
- Trehy, et. al. Analysis of electronic cigarette cartridges, refill solutions, and smoke for nicotine and nicotine related impurities. August 2011. (Finding no harmful levels of any chemical in electronic cigarettes) <http://www.tandfonline.com/doi/abs/10.1080/10826076.2011.572213>
- Vapor Products are not the same as tobacco products, and thus, should not be regulated in the same fashion. Vapor products have not been demonstrated to have the same detrimental effects of combustible tobacco products and have otherwise been shown in recent studies to be as much as 95% less toxic than traditional Cigarettes. The UK has recently embraced these products as public health win and are crafting smart regulations that embrace the advantages these products provide to their society rather than crafting burdensome regulations that aim to limit access and protect deadly tobacco markets. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457102/E-cigarettes_an_evidence_update_A_report_commissioned_by_Public_Health_England_FINAL.pdf

It is our belief that this unjustified classification and requirements are not in the best interests of the State of Hawaii. Thank you for your time and consideration. If you have any questions, please feel free to contact me directly.



VOLCANO®

Sincerely,
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